

## REMARKS

This amendment is being filed in response to a Notice of Non-Compliant Amendment (herein called the "Notice"), which was mailed on December 12, 2008.

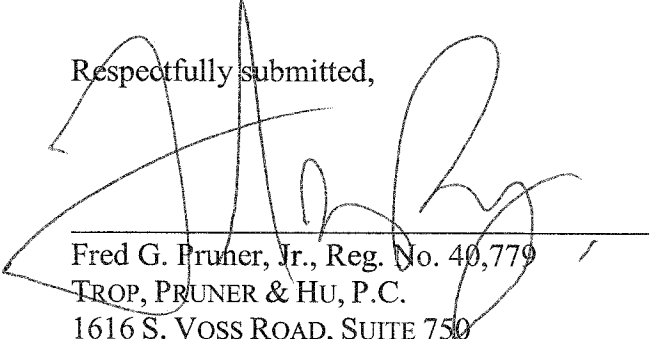
The Notice refers to a Reply filed by Applicant on November 12, 2008 (herein called the "Reply"). A Terminal Disclaimer accompanied the Reply for purposes of overcoming the remaining double patenting rejections. The Reply also contained an incorrect claim listing. No claim amendment was intended, however; and the Examiner did not enter any claim amendments. To clarify the status of the claims, a current claim listing is included, which sets forth the claims as the claims existed after the amendment contained in the Reply to Office Action dated January 29, 2008, was filed and was entered by the Examiner.

In a telephonic interview between the undersigned and the Examiner on January 9, 2009, the undersigned and the Examiner discussed the Reply. The undersigned and the Examiner agreed that the problem would be resolved by Applicant submitting a claim listing that set forth the current claims. Furthermore, it was discussed that the Terminal Disclaimer submitted in the Reply has been accepted, and as such, another copy of the Terminal Disclaimer is not being submitted with the current reply.

In view of the foregoing, Applicant respectfully requests a favorable action in the form of a Notice of Allowance. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. Deposit Account No. 08-2025, under Order No. 200310236-1.

Respectfully submitted,

Date: January 12, 2009



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